

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

MIKE PLAZONY,  Plaintiff,	)	
	)	Case No. 08 CV 2672
vs.	)	The Hon. Amy St. Eve
DESTINY HEALTH, INC.,  Defendant.	)	Magistrate Judge Keys

**DEFENDANT’S MOTION FOR AN EXTENSION OF TIME FOR  
DEFENDANT TO ANSWER OR OTHERWISE PLEAD**

Defendant DESTINY HEALTH, INC. hereby moves the Court for an extension of time until July 10, 2008 to answer Plaintiff’s Complaint or otherwise plead. In support of this motion, Defendant states as follows:

1. On May 8, 2008, Plaintiff filed his Complaint in this matter. Absent any extension of time, Defendant’s response to the Complaint is due on June 5, 2008.

2. Plaintiff’s Complaint contains allegations which concern an alleged corporate transaction and whether the facts regarding such alleged corporate transaction meet the specific “change of control” definition contained in the parties’ contract. Undersigned counsel was just recently retained and has not yet had a sufficient opportunity to gather necessary documents and to conduct a thorough review of the numerous facts and circumstances alleged in the Complaint. Additionally, undersigned counsel will be away from the office on vacation from June 19, 2008 through June 30, 2008. Accordingly, Defendant requests an extension of time until July 10, 2008 to prepare its response to Plaintiff’s Complaint.

3. This brief extension of time is necessary for Defendant to complete its factual investigation regarding the matters asserted in the Complaint. The extension sought by Defendant is not sought for the purpose of delay, and will not prejudice any of the parties to this action.

4. On June 3, 2008, Counsel for Defendant spoke with opposing counsel's office. Opposing Counsel's office refused to agree to any extension of time in excess of 14 days.

WHEREFORE, Defendant respectfully requests that the Court grant its motion for an extension of time to answer or otherwise plead and order Defendant to file an answer or other responsive pleading on or before July 10, 2008.

Respectfully submitted,

DESTINY HEALTH, INC.

By: /s/ Jason A. Schmidt

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Jake Schmidt (ARDC No. 6270569)  
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Dated: June 4, 2008

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on June 4, 2008, he caused the foregoing to be filed and uploaded to the CM/ECF system which will send notification of such filing to the following:

Lisa R. Kane  
LISA KANE & ASSOCIATES  
120 South LaSalle Street  
Suite 1420  
Chicago, Illinois 60603

/s/ Jason A. Schmidt